

**Open Minutes  
California State Personnel Board Meeting  
September 7, 2010**

**Open Session**

*Call to Order and Roll Call*

**Members Present:**

**Anne Sheehan, President**

**Richard Costigan, Vice President**

**Sean Harrigan**

**Maeley Tom**

**Patricia Clarey**

**I. Information and Discussion Items**

- Report of the Executive Officer – Suzanne Ambrose  
Ms. Ambrose reported that the Governor issued a freeze on all state hiring including retired annuitants, permanent intermittent, seasonal, temporary help, and student assistants including transfers between departments. SPB is following the exemption process and had submitted an exemption request last week.
- Ms. Ambrose was pleased to announce that SPB was the recipient of the ACES award for 2010 in being “the best in state service at employing and promoting persons with disabilities.” The ACES award is given annually by the Association of California State Employees with Disabilities (ACSED) to the top twelve departments with the highest representation of persons with disabilities in their workforces. SPB was second last year. ACSED will make a formal presentation to the board in November.
- Report of the Chief Counsel – Alvin Gittisriboongul
- Mr. Gittisriboongul provided a brief update on the furlough litigation.
- Report on Legislation – Steve Caldwell
- Mr. Caldwell reported that August 31, 2010, was the last day for the Legislature to pass bills. The last day for the Governor to sign or veto bills was September 30, 2010. Legislative reporting systems continue to track the final actions. There do not appear to be any amended bills that would affect SPB’s operations.
- Mr. Caldwell stated that the Governor indicated during his press conference that the budget was close however he would not sign a budget that did not include pension and budget reform.
- Mr. Caldwell stated that Sam Blakeslee won the special election for Senate District 15 and several Republicans plan to run for Senate District 1.
- Report on the California Public Employees Retirement System (report attached) CalPERS Report

**Open Minutes  
California State Personnel Board Meeting  
September 7, 2010**

- Report of Cooperative Personnel Services – Status Report on the Status Chart  
Review of the HR MOD's Three Rank Pilot Project
- Mr. Jerry Greenwell provided a brief update on the status of HR MOD's Three Rank Pilot Project review. (chart attached)
- Report on the Consulting Services Division –Jerry Gibbons  
Mr. Gibbons provided a brief update on the Limited Examination and Appointment Program (LEAP).
- New Business
- None

**II. Hearing**

Attachment 1

- Department of Corrections and Rehabilitation's CEA Request  
for Chief, Field Operations, Office of Internal Affairs  
Persons Participating:  
David Grant, Assistant Secretary, CDCR, Office of Internal Affairs  
Mary Sue Bautista, Executive Appointments  
**ACTION: SUBMITTED**

**III. Oral Arguments**

- Oral Argument Case No. 08-3377NPA  
Persons Participating:  
Lara Shapiro, Esq. for Department of Justice  
John Fisher, In Pro Per  
**ACTION: SUBMITTED**
- Oral Argument Case No 09-0043A  
Persons Participating:  
David P. Warren, Esq.  
Alfred W. Mondorf, Assistant Chief Counsel CDCR  
**ACTION: SUBMITTED**

**Closed Session**

Attachment 2

- Employee Appointments, Disciplinary Matters, and other Appeals
- Deliberation on Non-Evidentiary Cases and Adverse Actions, Discrimination Complaints and other Proposed Decisions Submitted by Administrative Law Judges
- Pending Litigation
- Recommendations to the Legislature
- Recommendations to the Governor

**Open Minutes  
California State Personnel Board Meeting  
September 7, 2010**

**Reconvene into Open Session**

**IV. Action Items**

- Proposed 2011 Board Meeting Calendar Attachment 3  
**ACTION: NONE**
  
- Draft Open Minutes from August 3, 2010, Board Mtg Attachment 4  
**ACTION: ADOPTED**
  
- Draft Closed Minutes from August 3, 2010, Board Mtg Attachment 5  
**ACTION: ADOPTED**
  
- Resolution Extending Time Pursuant to Government Code Section 18671.1 Attachment 6  
**ACTION: ADOPTED**
  
- Non-Hearing Agenda Attachment 7  
**SEE ATTACHMENT 6 FOR ACTIONS**
  
- Career Executive Assignment Category Activity Attachment 8  
**SEE ATTACHMENT 7 FOR ACTIONS**
  
- Hearing Agenda Attachment 9
  - 1. Submitted Items  
**SEE ATTACHMENT 8 FOR ACTIONS**
  
  - 2. Evidentiary & Non-Evidentiary Cases Attachment 9  
**SEE ATTACHMENT 9 FOR ACTIONS**

**ADJOURNMENT**

**MINUTES CERTIFICATION**

**Patricia Clarey  
CalPERS Update  
August 2010**

**CalPERS Total Fund**

As of June 30, 2010, the total value of the fund was approximately \$200.0 billion. For the one-year period ended June 30, 2010, the net rate of return was approximately 11.39%.

**Affiliate Investment Programs Annual Review**

The Board approved one-year contract renewals for the following investment managers:

- AllianceBernstein US Strategic Value Equity
- The Boston Company Small Mid Cap Growth Equity
- The Boston Company Small Mid Cap Value Equity
- Pyramis Global Advisors Trust Company Select International Equity
- Turner Investment Partners Core Growth Equity
- Pacific Investment Management Company Short-Term Bond

**Actuarial Valuation Policy on Recognition of Plan Design Changes**

The Board adopted policy authorizing changes in retirement benefits and member contribution rates to be reflected in the employer contribution rates for the State plans immediately upon the effective date of the changes or as soon thereafter as can be accomplished given the Board's meeting schedule. The change to the employer rate would be implemented prospectively, commencing with the employer's payment for the first quarter following the Board's action to change the rate.

**EFI'S Parallel Valuation and Certification of the Contracting Public Agency Plans as of June 30, 2008**

The Board accepted EFI's report on the parallel valuation and certification of the actuarial valuations of contracting public agency plans as of June 30, 2008.

**Extension of Dependent Health Coverage Up to Age 26**

The Board approved proposed regulations to conform State Regulations to extend dependent health care coverage up to age 26.

**Long Term Care Program Contracting**

The Board authorized staff to conduct direct contract negotiations for a Long-Term Care Program Third-Party Administrator contract, with Univita Health, LLC for a period of two (2) years with an option for a one-year extension; and authorized staff to conduct direct contract negotiations with United Health Actuarial Services, Inc., for a period of one (1) year with options for two (2) one-year extensions.

**2010-2011 Performance Plans for the Chief Executive Officer and General Counsel**

The Board approved the second reading of the 2010-2011 performance plans for the Chief Executive Officer and General Counsel.

**2010-2011 Performance Plans for the Chief Investment Officer, Chief Operating Investment Officer, Senior Investment Officers, Senior Portfolio Managers and Portfolio Managers**

The second reading of the 2010-2011 performance plans for the Chief Investment Officer, Chief Operating Investment Officer, Senior Investment Officers, Senior Portfolio Managers and Portfolio Managers were approved.

### Three-Rank Project Status State Personnel Board Meeting 9-7-2010

Major Project Tasks/Milestones	Status
Conduct literature and project background review (all related documentation inclusive of stakeholder comments)	Completed
Meeting(s)/Interview(s) with SPB staff to gather relevant data/information	In Progress
Meeting(s)/Interview(s) with HR Mod staff to gather relevant data/information	Completed
Meeting(s)/Interviews with SEIU to gather relevant data/information	Complete by September
Create a sampling plan to identify departments to interview	Completed
Create interview protocol/questions for departmental interviews	Completed
Schedule and conduct interviews with a representative sample of participating departments	Complete by November
Analyze/culminate interview results	Complete by November
Develop and administer an online, departmental questionnaire for participating departments' Personnel Officers and Hiring Supervisors	Complete by October
Analyze the questionnaire results	Complete by November
Develop and administer an online, applicant questionnaire to obtain applicant feedback on the overall three-rank selection process	Complete by October
Analyze/Summarize the results of the candidate questionnaire	Complete by November
Obtain and review SPB appeals data	Complete by October
Document steps taken throughout the life of the project , summarize findings, and develop recommendations related to the three-rank selection process	Complete by November
Develop the final report	Complete by November

**Open Minutes  
California State Personnel Board Meeting  
September 7, 2010**

***Attachment 2***

- **Employee Appointments, Disciplinary Matters, and Other Appeals**  
Deliberations to consider matters submitted at prior hearing.  
[Government Code Sections 11126(c)(3), 18653(3)]
  
- **Deliberation on Non-Evidentiary Cases and Adverse Actions, Discrimination Complaints and other Proposed Decisions Submitted by Administrative Law Judges**  
Deliberations on proposed, rejected, remanded, and submitted decisions, petitions for rehearing, and other matters related to cases heard by Administrative Law Judges of the State Personnel Board or by the Board itself.  
[Government Code sections 11126(c)(3), 18653]
  
- **Pending Litigation**  
Conference with legal counsel to confer with and receive advice regarding pending litigation when discussion in open session would be prejudicial.  
[Government Code sections 11126(e), 18653]  
  
Patrick McCollum v. State of California, United States District Court, Northern District of California, Case No. C 04-03339 CRB  
  
Plata, et al. v. Schwarzenegger, et al. United States District Court, Northern District of California, Case No. C01-1351 TEH  
  
California Highway Patrol, et al. v. State Personnel Board (Hubert Acevedo)  
Sacramento County Superior Court Case No. 34-2008-00002614-CU-WM-GDS  
  
Weingarten v. State Personnel Board, Sacramento County Superior Court, Case No. 34-2009-80000209-CU-WM-GDS
  
- **Recommendations to the Legislature**  
Deliberations on recommendations to the Legislature.  
[Government Code section 18653]
  
- **Recommendations to the Governor**  
Deliberations on recommendations to the Governor.  
[Government Code section 18653]

**Open Minutes  
California State Personnel Board Meeting  
September 7, 2010**

***Attachment 5***

On September 7, 2010, the Board took the following action on the Resolution listed as presented by Anne Sheehan, President, California State Personnel Board.

**VOTE: Sheehan, Costigan, Harrigan, Tom, Clarey – Aye**

**NOTICE OF GOVERNMENT CODE SECTION 18671.1 RESOLUTION**

Since Government Code Section 18671.1 requires that cases pending before State Personnel Board Administrative Law Judges (ALJ's) be completed within six months or no later than 90 days after submission of a case, whichever is first, absent the publication of substantial reasons for needing an additional 45 days, the Board hereby publishes its substantial reasons for the need for the 45-day extension for some of the cases now pending before it for decision.

An additional 45 days may be required in cases that require multiple days of hearings, that have been delayed by unusual circumstances, or that involve any delay generated by either party (including, but not limited to, submission of written briefs, requests for settlement conferences, continuances, discovery disputes, pre-hearing motions). In such cases, six months may be inadequate for the ALJ to hear the entire case, prepare a proposed decision containing the detailed factual and legal analysis required by law, and for the State Personnel Board to review the decision and adopt, modify or reject the proposed decision within the time limitations of the statute.

Therefore, at its next meeting, the Board will issue the attached resolution extending the time limitation by 45 days for all cases that meet the above criteria, and that have been before the Board for less than six months as of the date of the Board meeting.

**GOVERNMENT CODE SECTION 18671.1 RESOLUTION**

**WHEREAS**, Section 18671.1 provides that, absent waiver by the appellant, the time period in which the Board must render its decision on a petition pending before it shall not exceed six months from the date the petition was filed or 90 days from the date of submission; and

**WHEREAS**, Section 18671.1 also provides for an extension of the time limitations by 45 additional days if the Board publishes substantial reasons for the need for the extension in its calendar prior to the conclusion of the six-month period; and

**WHEREAS**, the Agenda for the instant Board meeting included an item titled "Notice of Government Code Section 18671.1 Resolution" which sets forth substantial reasons for utilizing that 45-day extension to extend the time to decide particular cases pending before the Board;

**Open Minutes  
California State Personnel Board Meeting  
September 7, 2010**

**WHEREAS**, there are currently pending before the Board cases that have required multiple days of hearing and/or that have been delayed by unusual circumstances or by acts or omissions of the parties themselves;

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that the time limitations set forth in Government Code Section 18671.1 are hereby extended an additional 45 days for all cases that have required multiple days of hearing or that have been delayed by acts or omissions of the parties or by unusual circumstances and that have been pending before the Board for less than six months as of the date this resolution is adopted.

**ACTION: ADOPTED**



**Open Minutes  
California State Personnel Board Meeting  
September 7, 2010**

***Attachment 6***

On September 7, 2010, the Board took the following action on the Resolution listed as presented by Suzanne Ambrose, Executive Officer California State Personnel Board.

**VOTE: Sheehan, Costigan, Harrigan, Tom, Clarey – Aye**

**NON-HEARING AGENDA**

**A. BOARD ITEMS PRESENTED BY STATE PERSONNEL BOARD OR DEPARTMENT OF PERSONNEL ADMINISTRATION TO ESTABLISH, REVISE OR ABOLISH CLASSIFICATIONS, ALTERNATE RANGE CRITERIA, ETC.**

**1. CALIFORNIA PRISON HEALTH CARE SERVICES**

The California Prison Health Care Services requests approval to abolish its existing eligibility list for the Associate Governmental Program Analyst classification so it can use the new Human Resources Modernization online examination.

**ACTION: ADOPTED**

**B. ABOLISHMENT OF CLASSES THAT HAVE HAD NO INCUMBENTS FOR MORE THAN TWO YEARS. DEPARTMENTS THAT UTILIZE THE CLASS AS WELL AS THE APPROPRIATE UNION HAVE NO OBJECTION TO THE ABOLISHMENT OF THESE CLASSES.**

**NONE**

**C. BACKDATE OF APPOINTMENTS**

**1. CASE NO. 10-13BD**

**Classification:** Staff Toxicologist (Specialist)

**Department:** Department of Toxic Substances Control

**ACTION: ADOPTED**

**Open Minutes  
California State Personnel Board Meeting  
September 7, 2010**

***Attachment 7***

On September 7, 2010, the Board took the following action on the Resolution listed as presented by Suzanne Ambrose, Executive Officer California State Personnel Board.

**VOTE: Sheehan, Costigan, Harrigan, Tom, Clarey – Aye**

**CAREER EXECUTIVE ASSIGNMENT (CEA) CATEGORY ACTIVITY**

**A. REQUESTS TO ESTABLISH NEW OR REVISE EXISTING CEA POSITIONS CURRENTLY UNDER CONSIDERATION**

**1. PROJECT DIRECTOR, FISCAL INTERMEDIARY MEDICAID MANAGEMENT INFORMATION SYSTEM**

The California Department of Health Care Services is requesting to extend an existing limited term CEA allocation. The position will now be responsible for the overall development and transition stage of the project, Takeover Phase. The position will provide policy direction and management for all aspects of the design, development, and implementation in the replacement of the California Medicaid Management Information System. 11-007

**ACTION: APPROVED**

**2. CHIEF, HEADQUARTERS OPERATIONS, OFFICE OF INTERNAL AFFAIRS**

The California Department of Corrections and Rehabilitation (CDCR) is requesting approval to allocate the above position to the CEA category. The position will be responsible for the formulation and implementation of policies, procedures and protocols pertaining to CDCR's Internal Affairs investigations including the Deadly Force Review Board, the Central Intake, the Special Investigations, the Workers' Compensation Fraud Investigations, and the Computer Forensics Units, and all internal affairs investigations involving all Federal court mandates. 10-051

**ACTION: APPROVED**

**3. CHIEF, FIELD OPERATIONS, OFFICE OF INTERNAL AFFAIRS**

The California Department of Corrections and Rehabilitation is requesting approval to allocate the above position to the CEA category. The position will be responsible for the management and direction of the Department's Internal Affairs investigations which includes the use of Deadly Force,

**Open Minutes  
California State Personnel Board Meeting  
September 7, 2010**

“Code of Silence” cases, and exigent events involving immediate threats to the safety and security of employees, institutions, and juvenile facilities.  
10-050

**ACTION: TAKEN UNDER SUBMISSION**

**B. EXECUTIVE OFFICER DECISIONS REGARDING REQUESTS TO ESTABLISH NEW OR REVISE EXISTING CEA POSITIONS**

**1. CHIEF COUNSEL**

The California Office of the State Chief Information Officer’s request to allocate the above position to the CEA category was approved on August 4, 2010.

**2. CHIEF INFORMATION OFFICER**

The California Department of Water Resources’ request to revise the above CEA allocation was approved on August 4, 2010.

**3. CHIEF OF ORGANIZATIONAL CAPACITY AND WORKFORCE MANAGEMENT**

The California Department of Social Services’ request to allocate the above position to the CEA category was approved on August 4, 2010.

**4. CHIEF, CALIFORNIA 9-1-1 EMERGENCY COMMUNICATIONS OFFICE**

The Office of the State Chief Information Officer’s (OCIO) request to re-establish the above existing CEA position from the Department of General Services to the OCIO was approved on August 17, 2010.

**ACTION: NOTED**

**Open Minutes  
California State Personnel Board Meeting  
September 7, 2010**

***Attachment 8***

On September 7, 2010, the Board took the following action on the Resolution listed as presented by Suzanne Ambrose, Executive Officer California State Personnel Board.

**VOTE: Sheehan, Costigan, Harrigan, Tom, Clarey – Aye**

**A. SUBMITTED ITEMS NOT SCHEDULED FOR ACTION**

**NONE**

**B. SUBMITTED ITEMS SCHEDULED FOR ACTION**

**1. DEPUTY DISTRICT DIRECTOR, PROGRAM AND PROJECT MANAGEMENT, DISTRICT 7**

The California Department of Transportation is requesting approval to reactivate the above position to the CEA category. The position will be responsible for the development and implementation of policies for the Program and Project Management Division in the Los Angeles and Ventura counties. The Division consists of Capitol Outlay Support Data Management, Program Management and Consultant Services, and Project Management in the areas of North, South, Central, I-5, I-405, and I-710. Taken under submission at the April 6, 2010, Board meeting. Hearing held on July 6, 2010. Additional supporting information requested by Member Harrigan.

**ACTION: APPROVED**

**2. INSPECTOR GENERAL, CALIFORNIA HIGHWAY PATROL**

The California Highway Patrol proposes to allocate the above position to the CEA category. The Inspector General will provide critical subject matter expertise, develop and implement policies for a comprehensive program which will independently review and report on the effectiveness of organizational operations and internal and management controls. Taken under submission at the August 17, 2010, Board meeting. Clarification requested by Five-Member Board.

**ACTION: APPROVED**

**Open Minutes  
California State Personnel Board Meeting  
September 7, 2010**

***Attachment 9***

On September 7, 2010, the Board took the following action on the Evidentiary and Non-Evidentiary Cases as presented by Alvin Gittisriboongul, Chief Counsel, California State Personnel Board.

**VOTE: Sheehan, Costigan, Harrigan, Tom, Clarey – Aye**

**EVIDENTIARY CASES**

**A. ADMINISTRATIVE LAW JUDGES' PROPOSED DECISIONS AFTER HEARING**

- 1. CASE NO. 09-1294**  
**Classification:** Institution Artist/Facilitator  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** The Board adopted the ALJ's Proposed Decision.
- 2. CASE NO. 09-6026**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** The Board adopted the ALJ's Proposed Decision.
- 3. CASE NO. 09-3200**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** The Board adopted the ALJ's Proposed Decision.
- 4. CASE NO. 09-1827**  
**Classification:** Sheet-fed Offset Press Operation II  
**Department:** Board of Equalization  
**ACTION:** The Board adopted the ALJ's Proposed Decision.
- 5. CASE NO. 09-1676**  
**Classification:** Clinical Social Worker (Unlicensed)  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** The Board adopted the ALJ's Proposed Decision.
- 6. CASE NO. 09-2045**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** The Board adopted the ALJ's Proposed Decision but will issue a Resolution to clarify certain issues.

**Open Minutes  
California State Personnel Board Meeting  
September 7, 2010**

7. **CASE NO 09-3309**  
**Classification:** Correctional Counselor II  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** The Board adopted the ALJ's Proposed Decision.
8. **CASE NO. 09-2091**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** The Board adopted the ALJ's Proposed Decision.
9. **CASE NO. 07-2047**  
**Classification:** Certified Nursing Assistant  
**Department:** California Department of Veterans Affairs  
**ACTION:** The Board adopted the ALJ's Proposed Decision.

**DECISION AFTER REMAND**

10. **CASE NO. 08-5138PR**  
**Classification:** Operating Systems Analyst  
**Department:** California State University, San Diego (San Diego State University)  
**ACTION:** The Board adopted the ALJ's Proposed Decision.

**B. PETITIONS FOR REHEARING**

1. **CASE NO. 07-1783P**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** DENIED
2. **CASE NO. 09-3084P**  
**Classification:** Inspector, Waste Tire Program  
**Department:** California Integrated Waste Management Board  
**ACTION:** DENIED
3. **CASE NOS. 08-3627P, 08-3529P, and 08-3500P**  
**Classification:** Correctional Officers  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** DENIED

**Open Minutes  
California State Personnel Board Meeting  
September 7, 2010**

4. **CASE NO. 08-4824P**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
5. **CASE NO. 09-1486P**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
6. **CASE NO. 08-0720P**  
**Classification:** Correctional Lieutenant  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: GRANTED. The Legal Office will draft a Board Resolution.**
7. **CASE NO. 09-1376P**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**

**C. PENDING BOARD REVIEW**

1. **CASE NO. 07-3861PA**  
**Classification:** Senior Staff Information Systems Analyst (Specialist)  
**Department:** California Department of Public Health  
Petition for Rehearing granted at the May 4, 2010, Board meeting.  
Transcripts received.  
Oral Argument continued from August 3, 2010, to October 5, 2010.
2. **CASE NO. 07-2854PA**  
**Classification:** Fish and Game Warden  
**Department:** California Department of Fish & Game  
Petition for Rehearing granted at the July 20, 2010, Board meeting.  
Transcripts to be ordered.  
Oral Argument scheduled for November 2, 2010.

**Open Minutes  
California State Personnel Board Meeting  
September 7, 2010**

**D. ORAL ARGUMENTS**

**1. CASE NO. 08-3377NPA**

**Classification:** Deputy Attorney General III

**Department:** Department of Justice, Office of the Attorney General

Petition for Rehearing granted at the February 16, 2010, Board meeting.

Oral Argument continued from June 8, 2010 to September 7, 2010.

**ACTION: SUBMITTED**

**2. CASE NO. 09-0043A**

**Classification:** Psychologist-Clinical (Correctional Facility)

**Department:** California Department of Corrections and Rehabilitation

Proposed Decision rejected at the May 18, 2010, Board meeting.

To be scheduled for Oral Argument.

Transcripts ordered.

Oral Argument scheduled for September 7, 2010.

**ACTION: SUBMITTED**

**E. CHIEF COUNSEL RESOLUTIONS**

**1. SPB CASE NO. 06-1608**

Sacramento County Superior Court Case No. 34-2010-80000424

SPB Litigation Case No. 10-003

**Classification:** Housing Financial Specialist (General)

**Department:** California Housing & Finance Agency

**ACTION: The Board will issue a Resolution.**

**F. PENDING BOARD DECISIONS**

**1. CASE NO. 07-1059BPA**

**Classification:** Correctional Officer

**Department:** California Department of Corrections and Rehabilitation

ALJ's Proposed Decision adopted at the July 21, 2009, Board meeting.

Petition for Rehearing granted at the October 22, 2009, Board meeting.

Taken under submission at the February 2, 2010, Board meeting.



**Open Minutes**  
**California State Personnel Board Meeting**  
**September 7, 2010**

2. **CASE NO. 08-2813PA**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
ALJ's Proposed Decision adopted at the October 22, 2009, Board meeting.  
Petition for Rehearing granted at the January 19, 2010, Board meeting.  
Taken under submission at the April 6, 2010, Board meeting.
3. **CASE NO. 08-4044A**  
**Classification:** Maintenance Mechanic  
**Department:** California Department of Corrections and Rehabilitation  
Proposed Decision rejected at the April 6, 2010, Board meeting.  
Transcripts ordered  
Taken under submission at the August 3, 2010, Board meeting.
4. **CASE NO. 08-1758A**  
**Classification:** Physician and Surgeon  
**Department:** California Department of Corrections and Rehabilitation  
Proposed Decision rejected at the April 6, 2010, Board meeting.  
Transcripts ordered.  
Taken under submission at the August 3, 2010, Board meeting.
5. **CASE NO. 08-3726A**  
**Classification:** Senior Typist Legal  
**Department:** Department of General Services  
ALJ's Proposed Decision rejected at the February 2, 2010, Board meeting.  
Taken under submission at the May 4, 2010, Board meeting.
6. **PSC. NO. 10-04, SPB FILE NO.09-030(b)**  
**Department:** California Department of Corrections and Rehabilitation  
**Union:** AFSCME  
Appeal of California Department of Corrections and Rehabilitation from the Executive Officer's Decision disapproving Personal Services Contracts for Clinical Social Worker and Psychological Services.  
Taken under submission at the August 3 2010, Board meeting.  
**ACTION: The Board will issue a Resolution.**
7. **CASE NO. 06-3518PA**  
**Classification:** Fire Captain  
**Department:** California Department of Forestry & Fire Protection  
ALJ's Proposed Decision adopted at the June 23, 2009, Board meeting.

**Open Minutes  
California State Personnel Board Meeting  
September 7, 2010**

Petition for Rehearing granted at the September 24, 2009, Board meeting.  
Taken under submission at the January 5, 2010, Board meeting.

**8. CASE NOS. 06-1942A, 06-1979A, & 06-2186A**

**Classification:** Vice President of Student Affairs and Institutional Development and Athletic Director; emergency hire Women's Basketball Coach for 2004/2005 academic year and the prospective hire for the full-time tenure-track Head Women's Basketball Coach for the 2005/2006 academic year; Director of Educational Talent Search and Upward Bound Program.

**Respondents:** All three Complainants named Feather River Community College District, Dr. Susan Carroll, Cameron Abbott, Dr. Michael Bagley, Michael Cassity, and Joseph Munoz. Complainant also named Sarah Christensen.

ALJ's Proposed Decision rejected at the July 21, 2009, Board meeting.  
Taken under submission at the November 9, 2009, Board meeting.

**9. CASE NO. 08-3789A**

**Classification:** Senior Typist Legal

**Department:** Department of General Services

ALJ's Proposed Decision rejected at the February 2, 2010, Board meeting.  
Taken under submission at the May 4, 2010, Board meeting.

**NON-EVIDENTIARY CASES**

**G. WITHHOLD FROM CERTIFICATION APPEALS**

**1. CASE NO. 09-7042N**

**Classification:** Correctional Officer

**Department:** California Department of Corrections and Rehabilitation

**ACTION: DENIED**

**2. CASE NO. 09-6434N**

**Classification:** Correctional Officer/Youth Correctional Officer

**Department:** California Department of Corrections and Rehabilitation

**ACTION: The Board took this under submission. Legal Office will draft a Resolution.**

**3. CASE NO. 09-1995N**

**Classification:** Correctional Officer

**Department:** California Department of Corrections and Rehabilitation

**ACTION: DENIED**

**Open Minutes  
California State Personnel Board Meeting  
September 7, 2010**

4. **CASE NO. 09-0785N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
5. **CASE NO. 09-2643N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: GRANTED**
6. **CASE NO. 10-0477N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
7. **CASE NO. 09-0863N**  
**Classification:** Correctional Officer/Youth Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
8. **CASE NO. 09-6721N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
9. **CASE NO. 09-6431N**  
**Classification:** Correctional Officer/Youth Correctional Officer/Youth Correctional Counselor  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: GRANTED**
10. **CASE NO. 09-1523N**  
**Classification:** Cadet, CHP  
**Department:** California Highway Patrol  
**ACTION: DENIED**
11. **CASE NO. 09-6600N**  
**Classification:** Correctional Officer/Youth Correctional Officer/Youth Correctional Counselor  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**

**Open Minutes  
California State Personnel Board Meeting  
September 7, 2010**

- 12. CASE NO. 09-2063N**  
**Classification:** Correctional Officer/Youth Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: GRANTED**
- 13. CASE NO. 09-6941N**  
**Classification:** Correctional Officer/Youth Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
- 14. CASE NO. 09-2513N**  
**Classification:** Transportation Planner  
**Department:** California Department of Transportation  
**ACTION: DENIED**
- 15. CASE NO. 09-6381N**  
**Classification:** Associate Governmental Program Analyst  
**Department:** Department of Industrial Relations  
**ACTION: DENIED**
- 16. CASE NO. 09-6875N**  
**Classification:** Correctional Officer/Youth Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
- 17. CASE NO. 10-0212N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
- 18. CASE NO. 09-1476N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
- 19. CASE NO. 10-0336N**  
**Classification:** Associate Governmental Program Analyst  
**Department:** State Lands Commission  
**ACTION: DENIED**

**Open Minutes  
California State Personnel Board Meeting  
September 7, 2010**

- 20. CASE NO. 09-2909N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
- 21. CASE NO. 09-1478N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
- 22. CASE NO. 10-0311N**  
**Classification:** Correctional Officer/Youth Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: ACTION: The Board took this under submission. Legal Office will draft a Resolution.**
- 23. CASE NO. 09-6607N**  
**Classification:** Correctional Officer/Youth Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
- 24. CASE NO. 09-2642N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
- 25. CASE NO. 10-0169N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: GRANTED**
- 26. CASE NO. 10-0474N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
- 27. CASE NO. 09-6759N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**

**Open Minutes  
California State Personnel Board Meeting  
September 7, 2010**

- 28. CASE NO. 09-6566N**  
**Classification:** Correctional Officer/Youth Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED. The Legal Office will draft a Resolution.**
- 29. CASE NO. 09-6732N**  
**Classification:** Cadet, CHP  
**Department:** California Highway Patrol  
**ACTION: DENIED**
- 30. CASE NO. 10-0020N**  
**Classification:** Parole Agent I, Adult Parole  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
- 31. CASE NO. 09-6238N**  
**Classification:** Correctional Officer/Youth Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
- 32. CASE NO. 10-0540N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
- 33. CASE NO. 10-0855N**  
**Classification:** Associate Governmental Program Analyst  
**Department:** California Public Employees Retirement System  
**ACTION: DENIED**
- 34. CASE NO. 09-6756N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: ACTION: The Board took this under submission. Legal Office will draft a Resolution.**
- 35. CASE NO. 10-0363N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**

**Open Minutes  
California State Personnel Board Meeting  
September 7, 2010**

**H. MEDICAL AND PSYCHOLOGICAL SCREENING APPEALS**

1. **CASE NO. 08-4317N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**

**I. PROPOSED RECOMMENDATIONS AFTER BOARD REMAND**

**NONE**

**J. REQUESTS TO FILE CHARGES CASES**

1. **CASE NO. 09-2908N**  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**

**K. EXAMINATION APPEALS, MINIMUM QUALIFICATIONS, MERIT ISSUE COMPLAINTS**

**NONE**

**L. RULE 211 APPEALS, RULE 212 OUT OF CLASS APPEALS, VOIDED APPOINTMENT APPEALS**

**RULE 211**

1. **CASE NOS. 09-3391N and 09-3399N**  
**ACTION: DENIED**

**VOIDED APPOINTMENTS**

2. **CASE NO. 09-1175N**  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**

**Open Minutes  
California State Personnel Board Meeting  
September 7, 2010**

I hereby certify that the State Personnel Board made and adopted the preceding resolution at its meeting held on October 5, 2010.

VOTE: Sheehan, Costigan, Tom, Clarey – Aye

**/s/ SUZANNE M. AMBROSE**

Suzanne M. Ambrose  
Executive Officer  
California State Personnel Board